

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GERALD E. OLSEN, ROGER REEVES,  
RICHARD PETERSON, RICHARD  
DENSBERGER, individually and on  
behalf of all current and former  
participants and beneficiaries of the  
Clark Bros. Transfer, Inc. Employee  
Stock Ownership Plan and Trust, and  
the CLARK BROS. TRANSFER, INC.  
EMPLOYEE STOCK OWNERSHIP  
PLAN AND TRUST,

Plaintiffs,

vs.

JAMES D. CLARK, GRANT J.  
DEYONGE, STUART KUTLER, CLARK  
BROS. TRANSFER, INC., a Nebraska  
corporation,

Defendants.

CASE NO. 8:04CV106

ORDER OF DISMISSAL

This matter is before the Court on the parties' Stipulation to Dismiss with Prejudice (Filing No. 88). The Court finds that the Stipulation complies with the requirements of Fed. R. Civ. P. 41(a)(1)(ii), and the Stipulation shall be approved. Accordingly,

IT IS ORDERED:

1. The Stipulation to Dismiss with Prejudice (Filing No. 88) is approved, and the relief requested therein shall be granted;
2. The Complaint and all claims asserted in this matter are dismissed with prejudice; and
3. The parties shall bear their own costs and attorney's fees, unless otherwise agreed by and between them.

Dated this 4<sup>th</sup> day of May, 2005.

BY THE COURT:

s/Laurie Smith Camp  
Laurie Smith Camp  
United States District Judge